IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE EIGHTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 7856 of 2005

Between:

1 M. Durgaiah, S/o M. Mallaiah,
r/o Chinthakunta Village, Karimnagar Mandal,Karimnagar District.
2 P. Ravinder, S/o Venkataiah,
r/o Chinthakunta Village, Karimnagar Mandal,Karimnagar District.
3 M. Durgaiah, S/o Yellaiah,
r/o Chinthakunta Village, Karimnagar Mandal,Karimnagar District.
4 Y. Ramulu, S/o Bakkaiah,
r/o Chinthakunta Village, Karimnagar Mandal,Karimnagar District.
5 R. Mallaiah, S/o Rajaiah,
r/o Chinthakunta Village, Karimnagar Mandal,Karimnagar District.
6 M. Venkatesh, S/o M. Muthaiah,
r/o Chinthakunta Village, Karimnagar Mandal,Karimnagar District.
7 G. Raju, S/o Maraiah,
r/o Chinthakunta Village, Karimnagar Mandal,Karimnagar District.
8 A. Anjaiah, S/o A. Lingaiah,
r/o Chinthakunta Village, Karimnagar Mandal,Karimnagar District.
9 M. Raja Durgaiah, S/o M. Mallaiah,
r/o Chinthakunta Village, Karimnagar Mandal,Karimnagar District.
10 P.Mallaiah, S/o P. Rajaiah,
r/o Chinthakunta Village, Karimnagar Mandal,Karimnagar District.
11 P.Karuna, W/o Ravinder,
r/o Chinthakunta Village, Karimnagar Mandal,Karimnagar District.
12 M. Hanumaiah, s/o M. Mallaiah,
r/o Chinthakunta Village, Karimnagar Mandal,Karimnagar District.
13 K. Somaiah, S/o Yellaiah,
r/o Chinthakunta Village, Karimnagar Mandal,Karimnagar District.
14 Kavampally Boddamma, W/o --
r/o Chinthakunta Village, Karimnagar Mandal,Karimnagar District.

..... PETITIONERS

AND

1 The Mandal Revenue Officer, Karimnagar.
2 The Revenue Divisional Officer, Karimnagar.
3 The District Collector, Karimnagar.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, order or direction preferably a Writ in the nature of Mandamus declaring the action of the Respondents in taking steps to dispossess the petitioners from their lands in Sy.No. 142 situated at Chinthakunta village, Karimnagar Mandal, Karimnagar District without following due procedure under law as unlawful, llegal, arbitrary and against the principles of natural justice and violative of Article 14 of the Constitution of India and pass such further or other orders as the Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the PetitionersMR.I.AGA REDDY

Counsel for the Respondents GP FOR REVENUE

The Court made the following :

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O R D E R:

Heard the learned counsel for the petitioners and the learned Government Pleader for Revenue appearing for the respondents.

The petitioners state that they have been in occupation of small extents of land in survey No.142 of Chinthakunta village, Karimnagar Mandal and District, which is classified as tank bed land. The petitioners states that since they have been in possession of the said land for the past several years, they made representations requesting the third respondent, the District Collector, to grant pattas in their favour in respect of the said land. However, while their representations are kept pending, the respondents have been taking steps to evict the petitioners highhandedly. Hence, this writ petition.

Since the representations made by the petitioners are pending, without expressing any opinion as to the entitlement of the petitioners for grant of pattas as sought by them, I deem it appropriate to dispose of the writ petition with a direction to the respondents to consider the request of the petitioners as sought in their representations dated 01-04-2005 and 05-04-2005 and to pass appropriate orders, in accordance with law, as expeditiously as possible, preferably within a period of four weeks from the date of receipt of a copy of this order. Till such time, there shall be a direction to the respondents not to interfere with the possession of the petitioners in respect of the land-in-question without following due process of law. No costs.

(**G. ROHINI, J**)

Date: 08-04-2005

Note: Issue CC by Monday.

B/o

ghn

To

1 The Mandal Revenue Officer, Karimnagar.

2 The Revenue Divisional Officer, Karimnagar.
3 The District Collector, Karimnagar.

4 Two C.Cs to the Government Pleader for Revenue, High Court Buildings,

A.P., Hyderabad (OUT)

5 Two C.D copies